

## REMARKS

Applicant is in receipt of the Office Action mailed January 23, 2006. Claims 1-3, 5, 7-13, 15-16, 18-20, and 22-27 were pending in the application. Claim 8 has been cancelled. Claim 7 has been amended. Claims 29 and 30 have been added. Accordingly, claims 1-3, 5, 7, 9-13, 15-16, 18-20, 22-27, and 29-30 are now pending in the application.

### 35 U.S.C. §103 Rejection

Claims 1-3, 7-13, and 18-20 were rejected under 35 U.S.C. 103(a) as being unpatentable over Grannes et al. (U.S. Publication No. 2004/0001527) in view of Cabib et al. (U.S. Patent No. 5,823,681). Applicant respectfully traverses this rejection.

Applicant notes that obviousness cannot be established by combining or modifying the teachings of the prior art to produce the claimed invention, absent some teaching or suggestion or incentive to do so. *In re Bond*, 910 F. 2d 81, 834, 15 USPQ2d 1566, 1568 (Fed. Cir. 1990). As held by the U.S. Court of Appeals for the Federal Circuit in *Ecolochem Inc. v. Southern California Edison Co.*, 227 F.3d 1361 (Fed.Cir. 2000), an obviousness claim that lacks evidence of a suggestion or motivation for one of skill in the art to combine prior art references to produce the claimed invention is defective as hindsight analysis. The showing of a suggestion, teaching, or motivation to combine prior teachings "must be clear and particular . . . Broad conclusory statements regarding the teaching of multiple references, standing alone, are not 'evidence'." *In re Dembiczak*, 175 F.3d 994, 50 USPQ2d 1614 (Fed. Cir. 1999). (Emphasis added)

Furthermore, the mere fact that references can be combined or modified does not render the resultant combination obvious unless the prior art also suggests the desirability of the combination. *In re Mills*, 916 F.2d 680, 16 USPQ2d 1430 (Fed. Cir. 1990). Although a prior art device "may be capable of being modified to run the way the apparatus is claimed, there must be a suggestion or motivation in the reference to do so." 916 F.2d at 682, 16 USPQ2d at 1432. (Emphasis added)

Applicant submits that none of the cited art presents or suggests a motivation to combine, and that the Examiner has simply attempted to construct the features and limitations of Applicant's invention as claimed by joining individual features described in the cited references without showing evidence in the references of a suggestion or motivation to combine, which is clearly hindsight analysis.

Applicant further notes that to establish a prima facie obviousness of a claimed invention, all claim limitations must be taught or suggested by the prior art. *In re Royka*, 490 F.2d 981, 180 U.S.P.Q. 580 (C.C.P.A. 1974), MPEP 2143.03. "All words in a claim must be considered in judging the patentability of that claim against the prior art." *In re Wilson*, 424 F.2d 1382, 1385, 165 USPQ 494, 496 (CCPA 1970). (Emphasis added)

Applicant respectfully submits that Grannes and Cabib, whether alone or combined, fail to teach or suggest "wherein n-1 pn-junctions are simultaneously accessible via the n access points" as recited by claim 1. The Examiner admits on page 3 of the pending Office Action that "Grannes does not explicitly state that the (temperature sensing) junctions can be accessed simultaneously". The Examiner contends that Cabib teaches the above-highlighted feature of claim 1. Applicant respectfully disagrees. Cabib teaches, at column 5, lines 49-59:

In order that the system be capable of simultaneously measuring in more than a single chamber, as would be required in a cluster tool processing environment, a plurality of measurement probes 13 is used, with each measurement probe 13 able to measure simultaneously with, yet independently of, the other probes. FIG. 1 schematically depicts the multiplicity of probes 13, with one probe 13 being provided for each processing chamber 12. Since each probe 13 has its own detector, the various signals can be processed simultaneously or can be handled sequentially by the electronic control unit. (Emphasis added)

Cabib further teaches, at column 8, lines 45-52:

a measurement probe which is optically coupled to a semiconductor process chamber, said probe sensing wafer self emission by means of at least one optical detector and a light modulator, each of said at least one optical detector being optically coupled to the wafer by means of a transparent rod, said process

chamber including a reflective cavity surface between said transparent rod and the wafer. (Emphasis added)

While Cabib teaches a plurality of measurement probes 13 simultaneously measuring wafer self-emission in different processing chambers 12, Cabib fails to teach or suggest “wherein n-1 pn-junctions are simultaneously accessible via the n access points” as recited by claim 1.

Accordingly, claim 1 is believed to patentably distinguish over the cited references, whether alone or combined. Claims 2 and 3 are dependent upon claim 1 and are therefore believed to patentably distinguish over the cited references for at least the same reasons.

Likewise, claims 7, 10, and 18 recite features similar to those highlighted above with regard to claim 1, and are therefore believed to patentably distinguish over the cited references, whether alone or combined, for at least the reasons given in the above paragraphs discussing claim 1. Claim 9 is dependent upon claim 7, claims 11-13 are dependent upon claim 10, claims 19-20 are dependent upon claim 18, and are therefore believed to patentably distinguish over the cited references for at least the same reasons.

Claims 5, 15-16, 22-27 were rejected under 35 U.S.C. 103(a) as being unpatentable over Grannes and Cabib, and further in view of Sheehan et al. (U.S. Patent No. 6,736,540). Claim 5 is dependent upon claim 1, claims 15-16 are dependent upon claim 10, claims 22-27 are dependent upon claim 18, and are therefore believed to patentably distinguish over the cited references for at least the reasons given above.

Additionally, Applicant submits that the cited references, whether alone or combined, fail to teach or suggest “wherein the integrated circuit comprises one or more internal pn-junctions configured as temperature sensors to determine a temperature associated with the integrated circuit” as recited by claim 26, and “wherein the integrated circuit is coupled to a System Management Bus (SMBus)” as recited by claim 27. In accordance, claims 26 and 27 are believed to patentably distinguish over the cited references.

Furthermore, Applicant respectfully requests examination of added Claims 29 and 30, which are believed to patentably distinguish over the cited references.

## CONCLUSION

Applicant submits the application is in condition for allowance, and an early notice to that effect is requested.

If any extensions of time (under 37 C.F.R. § 1.136) are necessary to prevent the above referenced application(s) from becoming abandoned, Applicant(s) hereby petition for such extensions. If any fees are due, the Commissioner is authorized to charge said fees to Meyertons, Hood, Kivlin, Kowert & Goetzel PC Deposit Account No. 50-1505/5707-05600/JCH.

Also enclosed herewith are the following items:

- Return Receipt Postcard

Respectfully submitted,



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